

GLM:aeH 09/23/05 393284.doc
Attorney Reference Number 5437-58514-01
Application Number 09/922,197

EXPRESS MAIL LABEL NO. EV514613571US
Date of Deposit: September 23, 2005
PATENT

In the Claims:

Please amend the claims as follows:

1-2 (Canceled)

3. **(Currently Amended)** An apparatus for assisting in determining ~~the~~ suitability of an individual for employment by an employer, the apparatus comprising:
an electronic data interrogator operable to present a first set of a plurality of questions to the individual;

an electronic answer capturer operable to electronically store ~~the individual's responses~~ answers by the individual to at least a selected plurality of the first set of questions presented to the individual;

an electronic predictor responsive to the stored answers and operable to predict at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and

an electronic results provider providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining ~~the~~ suitability of the individual for employment by the employer;

~~wherein the post-hire outcome indicates whether the individual is predicted to be involuntarily terminated~~

wherein the first set of the plurality of questions to the individual has been subjected to performance-driven item rotation comprising at least one validation cycle during which at least one of the questions has been retained, at least one former question has been dropped, and at least one experimental question has been inserted.

4. (Canceled)

5. **(Currently Amended)** An apparatus for assisting in determining ~~the~~ suitability of an individual for employment by an employer, the apparatus comprising:
an electronic data interrogator operable to present a first set of a plurality of questions to the individual;

an electronic answer capturer operable to electronically store ~~the individual's responses~~ answers by the individual to at least a selected plurality of the first set of questions presented to the individual;

an electronic predictor responsive to the stored answers and operable to predict at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and

an electronic results provider providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining ~~the~~ suitability of the individual for employment by the employer;

wherein ~~the~~ at least one of the predicted outcomes is post-hire outcome for the at least one job performance criterion comprises a predicted probability that a particular outcome value range for the at least one job performance criterion will be observed.

6. (Canceled)

7. **(Currently Amended)** An apparatus for assisting in determining ~~the~~ suitability of an individual for employment by an employer, the apparatus comprising:

an electronic data interrogator operable to present a first set of a plurality of questions to the individual;

an electronic answer capturer operable to electronically store ~~the individual's responses~~ answers by the individual to at least a selected plurality of the first set of questions presented to the individual;

an electronic predictor responsive to the stored answers and operable to predict at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and

an electronic results provider providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining ~~the~~ suitability of the individual for employment by the employer;

wherein the ~~predicted~~ at least one post-hire outcome for the at least one job performance criterion is comprises a predicted range of values for a continuous variable.

8-54 (Canceled)

55. (Canceled)

56. (Canceled)

57. (Canceled)

58. **(Currently Amended)** An apparatus for assisting in determining ~~the~~ suitability of an individual for employment by an employer, the apparatus comprising:

- an electronic data interrogator means operable to present a first set of a plurality of question means to the individual;
- an electronic answer capturer means operable to electronically store ~~the individual's responses~~ answers by the individual to at least a selected plurality of the first set of question means presented to the individual;
- an electronic predictor means responsive to the stored answers and operable to predict at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor means providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and
- an electronic results provider means providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining ~~the~~ suitability of the individual for employment by the employer;

wherein the at least one post-hire outcome indicates whether the individual is predicted to be involuntarily terminated; and

wherein the first set of the plurality of questions to the individual has been subjected to performance-driven item rotation comprising at least one validation cycle during which at least one of the questions has been retained, at least one former question has been dropped, and at least one experimental question has been inserted.

59. (New) The apparatus of claim 3 wherein the electronic predictor comprises a predictive model from which an ineffective predictor has been removed as a result of identifying the ineffective predictor via software, wherein the ineffective predictor is for an ineffective question.

60. (New) The apparatus of claim 3 further comprising a validation database stored in a computer-readable storage medium and comprising employee histories comprising post-hire job performance data;

wherein the electronic predictor has been subjected to a plurality of successive validation cycles, the successive validation cycles achieved via the post-hire job performance data in the validation database and validating effectiveness of answers to the questions presented by the electronic data interrogator in accurately predicting the post-hire outcome for the least one job performance criterion.

61. (New) One or more computer-readable storage media having stored thereon computer-executable instructions for performing a method for assisting in determining suitability of an individual for employment by an employer, the method comprising:

presenting a first set of a plurality of questions to the individual;

electronically storing answers of the individual to at least a selected plurality of the first set of questions presented to the individual;

responsive to the stored answers, predicting at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and

providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining suitability of the individual for employment by the employer;

wherein the first set of the plurality of questions to the individual has been subjected to performance-driven item rotation comprising at least one validation cycle during which at least one of the questions has been retained, at least one former question has been dropped, and at least one experimental question has been inserted.

62. (New) The one or more computer-readable storage media of claim 61 wherein:

the predicting is performed by a model; and

the method further comprises refining the model based on real-time electronic collection of data.

63. (New) The one or more computer-readable storage media of claim 61 wherein the method further comprises:

presenting a graphic image to convey a relative position of the individual for a ranked job performance criterion.

64. (New) The one or more computer-readable storage media of claim 61 wherein:

the predicting is performed by a model; and

the model has been subjected to a plurality of successive validation cycles, the successive validation cycles validating effectiveness of the stored answers input to the model in accurately predicting the at least one post-hire outcome for the least one job performance criterion.

65. (New) One or more computer-readable storage media having stored thereon computer-executable instructions for performing a method for assisting in determining suitability of an individual for employment by an employer, the method comprising:

- presenting a first set of a plurality of questions to the individual;
- electronically storing answers of the individual to at least a selected plurality of the first set of questions presented to the individual;
- responsive to the stored answers, predicting at least one post-hire outcome for at least one job performance criterion if the individual were to be employed by the employer, the predictor providing a prediction of the at least one post-hire outcome for the at least one job performance criterion based upon correlations of the stored answers with answers to sets of questions by other individuals for which post-hire information has been collected; and
- providing an output indicative of the at least one post-hire outcome for the at least one job performance criterion to assist in determining suitability of the individual for employment by the employer;
- wherein the predicting is achieved via a model stored in a computer-readable storage medium and accepting stored answers as input; and
- wherein the model has been subjected to a plurality of successive validation cycles, the successive validation cycles validating effectiveness of the input answers to the model in accurately predicting the at least one post-hire outcome for the least one job performance criterion.

66. (New) A method comprising:

before a job applicant is hired, collecting job application data from the job applicant in real time electronically, wherein the job application data comprises responses to items in an electronic job application;

based on the job application data, generating a prediction of job performance of the job applicant based on a predictive model stored in a computer-readable storage medium;

based on the prediction of job performance, deciding to hire the applicant;

after hiring the job applicant, measuring a job performance metric of the job applicant; and

via performance-driven item rotation, refining the electronic job application and the predictive model stored in the computer-readable storage medium based at least on the job applicant data collected from the job applicant in real time electronically and the job performance metric of the applicant;

wherein the refining comprises retaining at least one of the items in the electronic job application, removing at least one of the items in the electronic job application, and inserting at least one experimental item into the electronic job application.